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3 CITY OF ORANGE

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6 (714) 744-5580

7 Attorneys for Defendants CITY OF ORANGE, OFFICER EVAN SMITH, and
8 OFFICER JORDAN UEMURA

9 UNITED STATES DISTRICT COURT

10 CENTRAL DISTRICT OF CALIFORNIA, SOUTHERN DIVISION

11 JAMIE MOORE, an individual and
12 successor-in-interest of JUSTIN BROWN
13 HARRIS, deceased,

14 Plaintiff,

15 v.

16 CITY OF ORANGE; COUNTY OF
17 ORANGE; CHARLIE BROWN, a
18 nominal defendant; JOE HARRIS, a
19 nominal defendant; and DOES 1 through
20 35, inclusive,

21 Defendants.

CASE NO.: 8:17-cv-1024 JVS (JCGx)

Assigned for All Purposes to:
HON. JAMES V. SELNA

STIPULATED PROTECTIVE ORDER

DEPT.: 10C

COMPLAINT FILED: June 14, 2017

TRIAL DATE: None Set

22 **WHEREAS**, the parties have met and conferred and wish to avoid a protracted
23 discovery dispute concerning confidential information. The parties have now agreed to
24 the following protective order pertaining to City of Orange Police Department reports,
25 personnel records of Officers Evan Smith and Jordan Uemura, and documentation
26 related to any complaints and investigations of excessive force and any subsequent
27 retraining as well as any complaints and investigations of related to untruthfulness.
28 These documents will be produced once the protective order is executed and will be
BATES stamped beginning OR02601.

1 **IT IS HEREBY STIPULATED** by and through undersigned counsel that:

2 1. Counsel for the parties and retained consultants and/or experts shall have
3 sole custody and control over the confidential information BATES Stamped and
4 produced by the City of Orange.

5 2. This information contain in the records BATES stamped is deemed
6 confidential (hereinafter referred to as “information”), except to the extent set forth
7 within the Order and shall be used solely in connection with this litigation and the
8 preparation and trial of this case, or any related appellate proceedings, and not for any
9 other purpose, including any other litigation, and may not be disclosed or disseminated
10 to other persons, including any other counsel as set forth in paragraph 5 herein.

11 3. Counsel for the parties alone will have custody, control and access to the
12 information, and will be prohibited from releasing or disseminating it to other persons
13 including legal counsel other than as set forth in paragraph 5 herein.

14 4. Counsel for the parties may make copies of the information but counsel
15 will be prohibited from releasing or disseminating the information or copies of the
16 information other than as set forth in paragraph 5 herein.

17 5. The information may be disclosed only in the preparation of this action,
18 subject to this stipulation and only to the persons identified in sections a through e listed
19 below. Disclosure of the information for purposes of trial or any appellate proceeding
20 shall be taken up with the judicial officer(s) conducting that proceeding at the
21 appropriate time. If dissemination under this section occurs, the disclosure shall be
22 accompanied with a copy of this Protective Order and written instructions from counsel
23 directing compliance with same:

24 a. Counsel and law office personnel for any party to this action
25 including outside counsel assisting in the litigation of the mater;

26 b. Court personnel including stenographic reporters engaged in such
27 proceedings as are necessarily incident to preparation for trial in this action;

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1 c. Any outside expert or consultant specifically retained and used in
2 connection with this action;

3 d. Any "in-house" experts designated by the parties to testify at trial in
4 this matter;

5 e. Any party to this action, however, counsel will maintain custody of
6 the information produced by the City of Orange and no copy of the information will be
7 turned over to the possession of the individual parties.

8 6. Nothing in this Protective Order is intended to prevent officials or
9 employees of the City of Orange or other authorized government officials from having
10 access to the information as they would have had access in the normal course of their
11 job duties.

12 7. At the conclusion of the trial of any appeal, or upon other termination of
13 this litigation, the documents BATES stamped (including any copies made or
14 transcripts of the recorded information) shall be tendered back to the City of Orange
15 through its counsel.

16 8. Provisions of this Order shall be in effect until further order of the Court or
17 by stipulation by counsel.

18 The within Stipulation may be signed in counterparts and by facsimile.

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IT IS SO STIPULATED:

Dated: February 26, 2018

THE LAW OFFICE OF KEVIN S.
CONLOGUE and LAW OFFICES OF
GABRIEL H. AVINA

By:

/s/ Kevin S. Conlogue
Kevin S. Conlogue, Esq.
Gabriel H. Avina, Esq.
Attorneys for Plaintiff, JAMIE MOORE

Dated: February 26, 2018

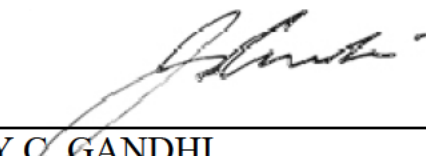
CITY OF ORANGE
Wayne W. Winthers, City Attorney

By:

/s/ Ryan E. Lumm
Ryan Lumm, Assistant City Attorney
Attorney for Defendants, CITY OF
ORANGE and OFFICER EVAN SMITH
and OFFICER JORDAN UEMURA

IT IS SO ORDERED.

Dated: March 5, 2018


JAY C. GANDHI
U.S. MAGISTRATE JUDGE